

EXHIBIT 15

TO MAO DECLARATION ISO PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, COSTS, AND SERVICE AWARDS

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION

4 CHASOM BROWN, WILLIAM BYATT,
5 JEREMY DAVIS, CHRISTOPHER
6 CASTILLO, and MONIQUE TRUJILLO,
7 individually and on behalf of
8 all other similarly situated

9 Plaintiffs, CASE NO.
10 5:20-CV-03664-LHK-SVK
11 VS.

12 GOOGLE LLC

13 Defendant.

14 *****
15 ZOOM VIDEOTAPED DEPOSITION OF WILLIAM BYATT
16 December 20, 2021
17 11:04 a.m. EST
18 *****

19 TAKEN BY:

20 VIOLA TREBICKA, ESQ.
21 ATTORNEY FOR DEFENDANT

22 REPORTED BY:

23 BELLE VIVIENNE, CRR
24 CERTIFIED STENOGRAPHIC
25 REALTIME COURT REPORTER
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25 VIDEOGRAPHER:

JoAnn Yager

1	A. Give me just a moment, please.	16:15:11
2	Yeah, I do.	16:15:13
3	Q. And what is this document?	16:15:14
4	A. Same thing as the others. It is	16:15:17
5	my responses to some questions from	16:15:19
6	Google.	16:15:24
7	Q. Okay.	16:15:25
8	MS. TREBICKA: And same note as	16:15:30
9	to this amended response and	16:15:33
10	objection, we have not yet received	16:15:37
11	Mr. Byatt's verification. We trust it	16:15:39
12	will come shortly.	16:15:43
13	BY MS. TREBICKA:	16:15:45
14	Q. But, Mr. Byatt, did you review	16:15:45
15	to make sure that it is -- the responses,	16:15:46
16	that they are, to the best of your	16:15:49
17	understanding and belief?	16:15:52
18	A. When I got this document, I did	16:15:54
19	do that. Let me -- give me just a moment	16:15:58
20	to check and make sure that this is what I	16:16:02
21	remember reviewing.	16:16:04
22	Yeah, this looks right, as best	16:16:29
23	as I can remember.	16:16:33
24	Q. You're aware of companies like	16:16:36
25	Killi or Brave; is that right?	16:16:40

1	A. Yes.	16:16:44
2	I don't know if you got my	16:16:58
3	answer, but I said, yes, I'm aware of	16:16:59
4	these.	16:17:02
5	Q. What is Killi?	16:17:02
6	MS. TREBICKA: It's -- for the	16:17:03
7	record, it's K-I-L-L-I.	16:17:04
8	A. I know that Killi is in the	16:17:06
9	space of allowing people to monetize some	16:17:15
10	of their private information. I can't	16:17:20
11	remember exactly what their business model	16:17:23
12	is right now. I know that that whole	16:17:28
13	space is shifting pretty rapidly.	16:17:30
14	BY MS. TREBICKA:	16:17:30
15	Q. And you've never attempted to	16:17:33
16	monetize your personal information on	16:17:35
17	Killi?	16:17:37
18	A. I have not attempted to, no.	16:17:38
19	Q. What is Brave?	16:17:39
20	A. Brave is a web browser that has	16:17:42
21	built-in sort of privacy features and also	16:17:47
22	allows you to sell -- I think they allow	16:17:51
23	you to sell your attention. Basically	16:17:54
24	they'll -- they'll serve you ads and pay	16:17:58
25	you to look at those ads, I believe, but	16:18:00

1 it's a web browser. 16:18:05
2 Q. Have you ever used Brave? 16:18:09
3 A. I have used Brave, yes. 16:18:10
4 Q. Have you gotten paid for using 16:18:12
5 Brave? 16:18:14
6 A. I have not. 16:18:15
7 Q. Earlier we talked about browsing 16:18:16
8 on Incognito in Chrome. Do you recall 16:18:23
9 that? We talked about it a lot -- 16:18:27
10 A. Yes. 16:18:30
11 Q. -- frankly, I just always feel 16:18:30
12 the need to preface this with what we've 16:18:32
13 talked about. 16:18:34
14 A. Yes, I do remember that. 16:18:36
15 Q. Okay. And also from some of 16:18:38
16 your interrogatory responses, we know that 16:18:39
17 you used Incognito to browse 16:18:42
18 adult-oriented websites including 16:18:46
19 websites -- or adult-oriented websites and 16:18:50
20 websites like The New York Times, for 16:18:54
21 example; is that correct? 16:18:55
22 A. That's correct, yes. 16:18:57
23 Q. What are adult-oriented 16:18:58
24 websites? 16:19:00
25 A. Pornography websites. 16:19:04

1	Q. Do you only browse pornography	16:19:07
2	websites while on Incognito?	16:19:10
3	A. I hope so.	16:19:12
4	Q. Do you believe that your data is	16:19:15
5	more valuable when it's related to	16:19:18
6	browsing on the pornography websites	16:19:23
7	rather than The New York Times?	16:19:27
8	MR. LEE: Objection to form.	16:19:30
9	A. I have no knowledge of	16:19:32
10	specifically how that's priced or what	16:19:35
11	information is particularly valuable.	16:19:37
12	BY MS. TREBICKA:	16:19:37
13	Q. What about Incognito versus	16:19:40
14	non-Incognito, do you believe that data	16:19:42
15	related to your browsing when you are in	16:19:44
16	Incognito is more valuable than data	16:19:46
17	related to your browsing when you are not	16:19:49
18	in Incognito?	16:19:51
19	MR. LEE: Objection, valuable to	16:19:53
20	who?	16:19:54
21	A. Yeah, so again, I don't know	16:19:59
22	from Google's perspective how that	16:20:01
23	information is priced. I don't know what	16:20:05
24	that looks like. I can tell you that from	16:20:09
25	my perspective, basically by definition,	16:20:14

1 the information -- my browsing information 16:20:20
2 when I'm in Incognito mode is information 16:20:25
3 that it is more valuable to me for it to 16:20:28
4 remain private, right, yeah. So I don't 16:20:32
5 know how Google values it, but for me it 16:20:37
6 is certainly -- the highest value is for 16:20:40
7 it to be private when I'm in Incognito 16:20:42
8 mode. 16:20:42
9 BY MS. TREBICKA: 16:20:42
10 Q. What about value to others -- 16:20:56
11 and actually, let me -- why don't you take 16:20:59
12 a look at the response to Interrogatory 10 16:21:01
13 in this exhibit that you have open, which 16:21:05
14 is on page 7. 16:21:09
15 A. I'm on page 7. 16:21:20
16 Q. Okay. And I'm focusing your 16:21:22
17 attention to the last paragraph on that 16:21:23
18 page, the one that starts with 16:21:24
19 "Notwithstanding and subject to these 16:21:26
20 objections"; do you see that? 16:21:28
21 A. I see that paragraph. 16:21:32
22 Q. And you said "Plaintiff Byatt 16:21:33
23 responds that he has been aware of the 16:21:35
24 value of his personal data for years and 16:21:36
25 he chose to browse privately to protect 16:21:38